

San Diego County Superior Court Rules

APPENDIX G

LONG CAUSE TRIAL RULES

For any trial set on the long cause trial calendar (these rules do not apply to long cause OSCs) counsel must:

A. SEVEN COURT DAYS OR MORE BEFORE TRIAL

Personally meet and confer to exchange all of the following documents:

1. Trial statements (see **Appendix E**)
2. Trial briefs
3. Where support or fees are at issue, current Income and Expense Declarations including all required attachments.
4. A list of proposed exhibits (see attachment 1) and copies of actual exhibits. (In custody trials, counsel need not exchange the expert's test data, notes, etc., related to an evaluation previously performed if the data and report were previously provided to each counsel).*
5. A list designating non-party witnesses (including name, address and telephone number) and the subject matter of each witness's testimony (see attachment 2).*

B. FOUR COURT DAYS BEFORE TRIAL

1. Telephonically meet and confer to discuss stipulations on admissibility of exhibits, specifying objections to each exhibit to which admissibility is not stipulated, and discuss all aspects of any intended in limine motions.
2. If objections to exhibits are unresolved, or a motion in limine is to be filed, schedule appointment with court for pretrial conference to be held at least 2 court days before trial.
3. File with the clerk of the trial department and personally serve on opposing counsel any in limine motions (see attachment 3).
4. Arrange with the clerk of the trial department a date and time to pre-mark exhibits and to file original exhibits.
5. File trial statement, trial brief, Income and Expense Declaration and Court's copy of the exhibits with the clerk of the trial department.

C. THREE COURT DAYS BEFORE TRIAL

1. File with the clerk of the trial department and personally serve on opposing counsel a written list of objections to the exhibits of the other party (see attachment 4).

D. TWO COURT DAYS BEFORE TRIAL

1. If there are unresolved objections to exhibits or if motions in limine were filed, both counsel must confer personally with the Court to discuss the objections and motions. At that time, the Court may issue a tentative ruling on the issues presented.

E. DAY OF TRIAL

1. All objections to exhibits and motions in limine will be heard on the record and a ruling will be issued before the presentation of opening argument.
2. Each party must pay the mandated statutory court reporter fee for each half day of trial. It is the duty of counsel to know the amount of that fee before the day of trial so that counsel can deliver this amount to the clerk in the trial department before the start of each half day of trial. The amount must be paid in cash or check. Checks can only be from a party or the attorney's client trust account. Checks must be made payable to the Clerk of the Superior Court.
3. Each day, the morning session of trial will usually begin at 9 a.m. and end at noon with a 15 minute break at approximately 10:30 a.m. The afternoon session will usually begin at 1:30 p.m. and end at 4:30 p.m. with a 15 minute break at approximately 3:15 p.m. At the end of each day of a multi-day trial, counsel and the Court shall (LDS) review the next day's witnesses, examination time and any other calendaring issues.

***Any witnesses not disclosed pursuant to these rules will not be permitted to testify at trial. Any exhibits not exchanged pursuant to these rules will not be introduced at trial. The only exceptions are true impeachment or rebuttal witnesses or exhibits.**

(Effective 1/1/05)

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APPENDIX G - ATTACHMENT 1

LIST OF PROPOSED EXHIBITS

<Name of Self-Represented Party or Attorney>

<Address>

Telephone: (XXX) XXX-XXXX

Attorney for: <Name of Party>

SUPERIOR COURT OF CALIFORNIA COUNTY OF SAN DIEGO

In re the Marriage of:

Petitioner:

and

Respondent:

CASE NO.

LIST OF PROPOSED EXHIBITS

Petitioner/Respondent submits the following proposed exhibits:

- 1.
- 2.
- 3.
- 4.

DATED: _____

ATTORNEY NAME

Attorney for

(Effective 1/1/05)

San Diego County Superior Court Rules

APPENDIX G - ATTACHMENT 2

LIST OF WITNESSES

<Name of Self-Represented Party or Attorney>

<Address>

Telephone: (XXX) XXX-XXXX

Attorney for: <Name of Party>

SUPERIOR COURT OF CALIFORNIA COUNTY OF SAN DIEGO

In re the Marriage of: Petitioner: and Respondent:	CASE NO. LIST OF WITNESSES
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Petitioner/Respondent intends to call the following witnesses at the time of trial to testify on the subjects stated:

NAME ADDRESS AND TELEPHONE NUMBER – SUBJECT OF TESTIMONY

- 1.
- 2.
- 3.
- 4.

DATED: _____

ATTORNEY NAME
Attorney for

(Effective 1/1/05)

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APPENDIX G - ATTACHMENT 3

NOTICE OF MOTIONS *IN LIMINE*

<Name of Self-Represented Party or Attorney>

<Address>

Telephone: (XXX) XXX-XXXX

Attorney for: <Name of Party>

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN DIEGO**

In re the Marriage of:

Petitioner:

and

Respondent:

CASE NO.

NOTICE OF MOTIONS *IN LIMINE*

Petitioner/Respondent requests the Court enter the following in limine orders for the reasons stated:

- 1.
- 2.
- 3.
- 4.

This motion is based upon the records, files and pleadings in this action, the memorandum of points and authorities submitted with this notice of motion, and any and all other matters which may be timely presented before the time of the hearing on this motion.

DATED: _____

ATTORNEY NAME
Attorney for

(Effective 1/1/05)

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APPENDIX G - ATTACHMENT 4

OBJECTIONS TO EXHIBITS OF PETITIONER/RESPONDENT

<Name of Self-Represented Party or Attorney>

<Address>

Telephone: (XXX) XXX-XXXX

Attorney for: <Name of Party>

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN DIEGO**

In re the Marriage of:

Petitioner:

and

Respondent:

CASE NO.

**OBJECTIONS TO EXHIBITS OF
PETITIONER/RESPONDENT**

Petitioner/Respondent objects to the following exhibits for the reasons stated:

EXHIBIT

OBJECTION

- 1.
- 2.
- 3.
- 4.

DATED: _____

ATTORNEY NAME

Attorney for

(Effective 1/1/05)

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APPENDIX G - ATTACHMENT 5

LONG CAUSE TRIAL RULES CHECKLIST

A. SEVEN COURT DAYS OR MORE BEFORE TRIAL

- _____ 1. Personally meet and confer with opposing counsel.
- _____ 2. Exchange trial briefs.
- _____ 3. Where support or fees are at issue, exchange Income & Expense Declarations with required attachments.
- _____ 4. Exchange list of exhibits and copies of exhibits.
- _____ 5. Exchange list designating non-party witnesses (including name, address and telephone number) and the subject matter each will testify to.

B. FOUR COURT DAYS BEFORE TRIAL

- _____ 1. Confer with opposing counsel telephonically to discuss objections to the exhibits and in limine motions.
- _____ 2. If objections to exhibits unresolved, or motion in limine to be filed, schedule appointment for pre-trial conference.
- _____ 3. File with the Court and serve in limine motions.
- _____ 4. Arrange with clerk to pre-mark exhibits and file original exhibits.
- _____ 5. File trial brief, Income & Expense Declaration and court's copy of the exhibits in trial department.

C. THREE COURT DAYS BEFORE TRIAL

- _____ 1. File with clerk of trial department and opposing counsel a written list of objections to the exhibits.

D. TWO COURT DAYS BEFORE TRIAL

- _____ 1. If there are unresolved objections to exhibits or if motions in limine were filed, confer personally with the Court.

E. DAY OF TRIAL

- _____ 1. All objections to exhibits and motions in limine will be heard and a ruling will be issued.
- _____ 2. Each counsel must pay the mandated statutory court reporter fee for each half day of trial.
- _____ 3. At the conclusion of each day of trial, the Court and counsel shall review the next days' witnesses, examination time and other calendaring issues.

(Effective 1/1/05)